

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

**RESOLUTION 98-020**  
RECOMMENDATION FOR  
WATER QUALITY CERTIFICATION  
PORT OF OAKLAND, INNER, MIDDLE, AND OUTER HARBORS  
MAINTENANCE DREDGING, ALAMEDA COUNTY

WHEREAS, the Port of Oakland has applied to the State for Water Quality Certification under Section 401 of the Clean Water Act for maintenance dredging of approximately 750,000 cubic yards of sediment over a five year period, averaging 150,000 cubic yards annually; and,

WHEREAS, disposal of this dredged maintenance material would be at the designated Alcatraz disposal site (SF-11) and at approved upland locations. Material that must be dried prior to upland disposal would be rehandled at the Berth 10 Rehandling Facility located at the Port of Oakland; and,

WHEREAS, the dredging is maintenance dredging necessary to maintain the safe navigation of cargo ships, fishing vessels, ferry boats, and small craft at various facilities located at the Port of Oakland; and,

WHEREAS, the Regional Board under Section 401 of the Clean Water Act reviews permit applications to determine if the proposed activity will meet state water quality certification for the proposed activity; and,

WHEREAS, Water Quality Certification is for an activity that requires a federal license or permit that states there is reasonable assurance that any discharge to navigable water of the United States will not violate water quality objectives (Title 23, California Code of Regulations, Section 3830 et. seq.); and,

WHEREAS, Regional Board staff recommends that the Port of Oakland receive a multiple-year certification that applies to multiple dredging episodes at the Port of Oakland's harbor facilities; and,

WHEREAS, the Port of Oakland proposes to dredge at authorized maintenance depths; and,

WHEREAS, the Port of Oakland will submit technical reports for review and approval prior to each dredging episode; and,

WHEREAS, technical reports reviewed and approved by the Regional Board staff must support a determination by staff that the proposed dredging project will not violate state water quality standards; and,

WHEREAS, dredging for the last episode is expected to be complete by June 30, 2003; and,

WHEREAS, the Regional Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on June 21, 1995. This plan was approved by the State Water Resources Control Board and the Office of Administrative Law on July 20, and November 13, 1995, respectively. A summary of regulatory provisions is contained in Title 23 of the California Code of Regulations, Section 3912. The Basin Plan defines beneficial uses and water quality objectives for waters of the State, including surface waters and groundwaters; and,

WHEREAS, the reports submitted must show that the proposed activity meets the water quality objectives contained in the Basin Plan prior to approval of each dredging episode; and

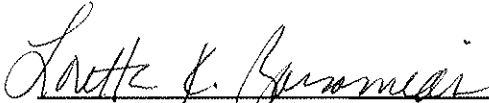
WHEREAS, this project is maintenance dredging where the dredged material will be deposited in a disposal area authorized by all applicable state and federal regulatory agencies and is therefore categorically exempt from the provisions of CEQA pursuant to Section 15304(g) of the Resource Agency Guidelines; now

THEREFORE BE IT RESOLVED, that this Regional Board recommends that the Executive Director of the State Water Resources Control Board grant Water Quality Certification in accordance with Section 401 of the Clean Water Act and State regulations in Title 23 California Code of Regulations Section 3830 et. seq. for the Port of Oakland to dredge and dispose of 750,000 cubic yards of dredged material with disposal at the Alcatraz disposal site (SF-11) and approved upland locations and conditional upon the following:

- 1) Dredging activities will not occur during the Pacific herring spawning season (December 1-March 1) unless otherwise authorized in writing by the California Department of Fish and Game.
- 2) Overflow from barge loading is not allowed, with the exception of return-water from self-propelled hopper dredge vessels that shall be limited to 15 minutes per load.
- 3) The sediment testing program shall follow applicable federal and state guidance allowing a tiered testing framework. Sediment suitability determinations shall be coordinated through the Dredged Material Management Office (DMMO).
- 4) A technical report describing sediment testing results shall be submitted for approval by the Executive Officer prior to each dredging episode. The technical report shall also be prepared according to state and federal guidance.
- 5) Discharges of dredged material shall comply with annual and seasonal volume target limits for disposal at in-Bay disposal sites set in the Basin Plan.

With these conditions, this Regional Board directs the Executive Officer to transmit this resolution to the Executive Director of the State Water Resources Control Board.

BE IT FURTHER RESOLVED, that I, Loretta K. Barsamian, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 18, 1998.

  
LORETTA K. BARSAMIAN  
Executive Officer